

REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 7, 2004. Reconsideration and allowance of the application and pending claims are respectfully requested.

Claim Rejections - 35 U.S.C. § 102(b)

A. “Driver” Settings

The Office Action maintains the rejection of claims 1-17 under 35 U.S.C. § 102(b) in view of Cloutier, et al. (“Cloutier,” U.S. Pat. No. 6,018,397), and further rejects claims 18-27, which were added in the previous response. Applicant respectfully traverses this rejection.

As was described in the previous response, Cloutier discloses an image processing computer 20 that includes a “magnification dependent image quality determination module 40” that assesses the level of image quality that would result if a given image file were printed as a hardcopy. Cloutier at column 3, lines 25-65. The module makes the magnification determination in view of the size of the image and the designated magnification criteria that has been selected by a user. Id. As is described by Cloutier, “if the input print size and aspect ratio for a given magnification selection will result in an unsatisfactory print quality, an indication is given to the user in the display to indicate that this combination will result in an unsatisfactory level of hardcopy output image quality. Id. at column 3, lines 42-50.

Such a magnification is selected by the user using “photo manipulation software.” As stated by Cloutier (column 1, lines 33-42):

Existing photo manipulation software, exemplified by Adobe Photoshop program allows user to alter characteristics of an image and display it in modified form on a computer monitor/video display. This displayed image quality will be dependent of the resolution of the scanner used to capture the image as well as the resolution of the display monitor. The image thus displayed is not necessarily intended to represent the final image quality which would result if for example a film origination material were to be reproduced on a hardcopy reproduction device.

In view of the foregoing, it is clear that the Cloutier reference only concerns a magnification setting selected by the user *when using a photo manipulation program* and not to a print setting. As is well known in the art, a print setting is a setting that relates to the printer driver and controls the print sequence *after* the user selects a “print” command. Therefore, a print setting is a setting associated with the print driver, not the program from which the file to be printed originates.

As was identified in the previous response, because Cloutier is concerned with a setting of a photo manipulation program and not a print setting, Cloutier does not anticipate Applicant’s claims which each explicitly recites a “print setting”. In the outstanding Office Action, however, the Examiner reiterates his argument that Cloutier’s magnification setting of the photo manipulation program is a print setting. Although Applicant respectfully disagrees with that position for the reasons provided above, Applicant has amended the claims to clarify that the “print setting” recited in the claims is a “print driver setting”. Moreover, some of Applicant’s claims now explicitly claim a “printer driver”. Applicant respectfully submits that Cloutier clearly does not provide such teachings. Indeed, Cloutier says nothing about driver settings or printer

drivers at all. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Support for the amendments is found in the original disclosure. For example, page 7 of Applicant's specification describes "drivers 218" that are separate from "user applications 216" and that are "used to translate data output or identified by the user application 216 into a format (*i.e.*, language) which is suitable for the printing devices 104." Moreover, the drivers are described as comprising the "print outcome notification module 220" that evaluates the print driver settings. Accordingly, clear support is provided for print driver settings.

B. Dependent Claims

As was identified in the previous response, the limitations of several of Applicant's dependent claims are not disclosed or suggested by Cloutier. Applicant discusses some of those claims in the following.

Regarding claim 3, Applicant notes that Cloutier fails to disclose or teach "determining which print driver settings are selected comprises determining a current default print driver setting". Although the Office Action identifies Cloutier's column 3, lines 58-60 as providing such a teaching, that portion of the Cloutier disclosure says nothing about a default setting of a print driver or other element.

With respect to claim 6, Cloutier fails to disclose or teach "providing notification comprises providing an indication of the degree of severity of the adverse result". Although column 3, lines 60-63 identified in the Office Action describe prohibiting printing, Cloutier does not provide the user with any indication as to the severity of the adverse result that would have occurred. Applicant notes that similar limitations are present in claims 20 and 25.

Regarding claim 7, Cloutier fails to disclose or teach “suggesting an alternative print driver setting that will not likely result in an adverse printing result”. Again, Cloutier is silent as to print driver settings. Moreover, the Cloutier system provides no suggestions to the user. In arguing that Cloutier teaches this aspect, the Office Action identifies column 3, lines 55-60 of the Cloutier reference. This portion of the reference does not say anything about suggesting a setting to the user. Instead, it only states that the user is given the opportunity to change the settings if the user wishes to change them. Applicant notes that similar limitations are present in claims 12, 16, 21, and 26.

With regard to claim 8, Cloutier fails to disclose or teach “automatically adjusting a print driver setting for the user so as to avoid an adverse printing result”. In support of the argument that Cloutier does teach this feature, the Office Action identifies Cloutier’s column 3, lines 35-46. A review of that portion of the Cloutier disclosure reveals, however, that Cloutier says nothing about automatically changing a setting. Instead, it merely states that the user can be provided with a warning as to the magnification selection. Applicant notes that similar limitations are present in claims 22 and 27.

3. New Claims 18-27

As noted above, Applicant’s claims have been amended to recite “print driver settings”. Independent claims 18 and 23, which were added through the previous response, are no exception and are therefore allowable over Cloutier for at least this reason. In addition, however, Applicant notes that claims 18 and 23 include limitations not found in the other independent claims. These provide as follows (emphasis added):

18. A method for providing print outcome notification, the method comprising:

determining which print driver settings are selected;

determining whether one or more of the print driver settings is likely to adversely affect *at least one of print speed and consumption of a printing device consumable*; and

providing notification to a user that a selected print driver setting may adversely affect the at least one of print speed and consumption of a printing device consumable.

23. A printer driver separate from a file manipulation software and stored on a computer-readable medium, the system comprising:

logic configured to determine which print driver settings are selected;

logic configured to determine whether one or more of the print driver settings is likely to adversely affect *at least one of print speed and consumption of a printing device consumable*; and

logic configured to notify a user that a selected print driver setting may adversely affect the at least one of print speed and consumption of a printing device consumable.

From the above, it is readily apparent that, unlike claims 1, 9, and 13, each of claims 18 and 23 contain limitations relating to determining whether a print driver setting is likely to adversely affect one or “print speed” and “consumption of a printing device consumable”.

Applicant notes that, in discussing claims 18 and 23, the Office Action makes no mention of the above-identified limitations, which do not appear in any of

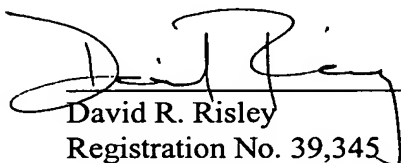
Applicant's other claims. Therefore, the rejection as to claims 18 and 23 is improper and should be withdrawn.

As a further point, Applicant notes that Cloutier does not teach or suggest determining whether a print driver setting will adversely affect print speed or consumption of a consumable device. Accordingly, it is clear that Cloutier cannot anticipate claims 18 and 23, or the claims that depend therefrom. In view of this, the rejection of those claims under Cloutier should be withdrawn.

CONCLUSION

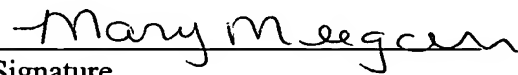
Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,


David R. Risley
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

12-18-04


Signature